

Coast Guard, DOT

§ 25.133

by a settlement authority is not subject to appeal except under the procedures prescribed for Military Claims in Subpart D of this part.

§ 25.127 Reconsideration.

(a) The settlement authority may reconsider a claim upon the authority's own initiative or upon request of the claimant or someone acting on the claimant's behalf.

(b) A request for reconsideration must be in writing and include the legal or factual grounds for the relief requested.

(c) Following any investigation or other action deemed necessary for reconsideration of the original action, the settlement authority reconsiders the claim and if warranted attempts to settle it. When further settlement efforts appear unwarranted, the settlement authority notifies the claimant in writing by certified or registered mail, return receipt requested, that the relief requested is denied.

(d) For the effect of reconsideration under the Federal Tort Claims Act see 28 CFR Part 14.

§ 25.129 Acceptance of offer of settlement.

Claimant's acceptance of an offer of settlement is a complete release of any claim against the United States and against the military or civilian personnel of the Coast Guard whose act or omission gave rise to the claim.

§ 25.131 Delegation of authority.

(a) The Chief Counsel is delegated the following authority:

(1) To carry out the functions of the Secretary and to exercise the Commandant's authority as commanding officer for all Coast Guard personnel in regard to claims brought under Article 139, Uniform Code of Military Justice (10 U.S.C. 939);

(2) To carry out the functions of an officer designated by the Secretary under the so-called "Foreign Claims Act", as amended (10 U.S.C. 2734);

(3) To request that the Department of Defense pay any meritorious claims arising under International Agreements in accordance with Title 10 U.S.C. 2734a and 2734b;

(4) To carry out the functions of the Secretary under the Act of October 9, 1962, as amended (10 U.S.C. 2737);

(5) To carry out the functions of the Secretary under the Act of August 16, 1937, as amended (14 U.S.C. 642);

(6) To carry out the functions of the Secretary under the Act of June 15, 1936, as amended (14 U.S.C. 646);

(7) To carry out the functions of the Secretary under the Act of August 4, 1949, as amended (14 U.S.C. 647);

(8) To carry out the functions of the Secretary under the Act of February 19, 1941, as amended (14 U.S.C. 830);

(9) To carry out the functions of the head of a Federal agency's designee under the Federal Tort Claims Act, as amended (28 U.S.C. 2672);

(10) To carry out the functions of the head of an agency under the Military Personnel and Civilian Employees' Claims Act, as amended (31 U.S.C. 3721);

(11) To carry out the functions of the head of an agency under the Federal Claims Collection Act of 1966, as amended (31 U.S.C. 3711);

(12) To carry out the functions of the head of the department under the Federal Medical Care Recovery Act (42 U.S.C. 2651-2653);

(13) To review and approve for payment any voucher for payment of a claim for \$25 or less the authority for payment of which is questioned by a certifying or disbursing officer;

(14) To establish procedures consistent with the applicable statutes and regulations for the administration of all claims.

NOTE: Under the Military Claims Act (10 U.S.C. 2733), the Secretary has authorized the Chief Counsel to settle and pay claims, see 49 CFR 1.46(j).

(b) The Comptroller is delegated the authority to carry out the functions of the head of an agency under the Federal Claims Collection Act of 1966, as amended (31 U.S.C. 3711).

[CGD 80-033, 46 FR 27109, May 18, 1981, as amended by CGD 82-112, 48 FR 4773, Feb. 3, 1983]

§ 25.133 Redelegation of authority.

The authority delegated in § 25.131 and in 49 CFR 1.46(j) to the Chief Counsel may, unless otherwise limited, be